

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEVONTE B. HARRIS,

Plaintiff,

v.

ROXANNE COLEMAN,

Defendant.

Case No.: 1:20-cv-00759-ADA-SKO (PC)

**ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY WITH COURT
ORDER AND FAILURE TO PROSECUTE**

(Doc. 58)

FOURTEEN (14) DAY DEADLINE

Plaintiff Devonte B. Harris is proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The action proceeds on a single claim of retaliation in violation of the First Amendment against Defendant R. Coleman. This matter is set for a pretrial conference on June 27, 2023, and a jury trial on August 29, 2023.

On February 16, 2023, the Court issued a second scheduling order directing Plaintiff to file his pretrial statement on or before June 12, 2023. (Doc. 58 at 2.) Plaintiff was advised that a failure to file a pretrial statement as required by that order may result in the imposition of appropriate sanctions, which may include dismissal of the actin or entry of default. (*Id.*) The deadline for the filing of Plaintiff's pretrial statement has expired, and Plaintiff has failed to comply with the Court's scheduling order or to otherwise communicate with the Court.

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1 Accordingly, Plaintiff is **HEREBY ORDERED** to show cause in writing why this action
2 should not be dismissed, with prejudice, for his failure to obey the Court's order and for failure to
3 prosecute. Plaintiff's response is due **within fourteen (14) days** from the date of service of this
4 order. **If Plaintiff fails to file a response, or the response does not demonstrate good cause,**
5 **the Court will recommend this action be dismissed for Plaintiff's failure to obey court**
6 **orders and failure to prosecute.**

7
8 IT IS SO ORDERED.

9 Dated: **June 20, 2023**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE